**UNITED STATES DISTRICT COURT**
**SOUTHERN DISTRICT OF CALIFORNIA**

FILED 2008 MAR 14 AM 8:52
CLERK US DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA
BY: RM DEPUTY

FILED 08 MAR 17 AM 9:02
CLERK U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RIGOBERTO HERNANDEZ-RIVERA,

Defendant.

CASE NO. 08CR456-L

**JUDGMENT OF DISMISSAL**

IT APPEARING that the defendant is now entitled to be discharged for the reason that:

_X_ an indictment has been filed in another case against the defendant and the Court has granted the motion of the Government for dismissal of this case, without prejudice; or

___ the Court has dismissed the case for unnecessary delay; or

___ the Court has granted the motion of the Government for dismissal; or

___ the Court has granted the motion of the defendant for a judgment of acquittal; or

___ a jury has been waived, and the Court has found the defendant not guilty; or

___ the jury has returned its verdict, finding the defendant not guilty;

___ of the offense(s) of:

IT IS THEREFORE ADJUDGED that the defendant is hereby discharged.

DATED: March 13, 2008

Barbara L. Major
UNITED STATES MAGISTRATE JUDGE

I have executed within judgment of dismissal ~~Judgement and Commitment~~ on 3/14/07

United States Marshal

By: [signature]
USMS Criminal Section

ENTERED ON ________________